

REMARKS

Claims 1-23 are presently pending in the application. Claims 1, 5, 9, 13, and 20 are amended. Claims 1, 5, 9, and 11 are independent. In view of the above amendments and following remarks, the Examiner is requested to reconsider the outstanding claim rejections.

Allowable Subject Matter

Applicants acknowledge with thanks the Examiner's indication that claims 2-4, 6-10, 14, 21, and 23 would be allowable if rewritten in independent form. Claim 9 has been rewritten in independent form, and thus is in condition for allowance.

Drawings

The Examiner objected to the drawings because the drawings allegedly fail to show the claimed feature of a light shielding member that both "is configured to shield light from the light source, which does not enter the only one light guiding member through the light entering surface" (claim 13) and "is a light shielding substance applied to an end face of the only light guiding member" (claim 18). The Examiner further asserts that Fig. 9 does not show these features. See pages 2-3 of the Office Action (under *Drawings*).

Applicants respectfully submit that claim 13 has been amended to recite that the light shielding member is configured to shield light, which does not enter through "the opening on the light entering surface." Applicants further submit that Fig. 9 does show a light shielding member 46, which is applied to the end face and configured to shield light ray 8b. Since light ray 8b does not enter the opening on light entering surface 40a in Fig. 9¹, Applicants respectfully submit that the drawings do show the claim features resulting from the dependency of claim 18 on claim 13.

¹ Instead, light ray 8b is illustrated as entering the glass members 41 in Fig. 9. See page 15, line 22 – page 16, line 3 of the Specification.

Thus, the examiner is respectfully requested to withdraw the objection to the drawings.

Claim Objection

The Examiner objected to claim 9 because “[t]he projection type image display apparatus” in lines 1-2 lack antecedent basis. Applicants submit that the amendment to claim 9 rectifies the situation. Thus, withdrawal of this objection is respectfully requested.

Rejection Under 35 U.S.C. § 102

Claims 1, 5, 11, 12, and 22 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Application Publication No. 2004/0057017 to Childers et al. (hereafter “Childers”). This rejection is respectfully traversed.

Applicants point out that MPEP § 2131 sets forth the following requirements for a proper § 102 rejection:

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.’ *Verdegaal Bros. V. Union Oil Co. Of California*, 814 F2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). ‘The identical invention must be shown in as complete detail as is contained in the ... claims.’ *Richardson v. Suzuki Motor Co.*, 868 F2d 1226, 1236, 9 USQP2d 1913, 1920 (Fed. Cir. 1989).”

Applicants respectfully submit that Childers does not anticipate independent claims 1, 5, and 11 because Childers does not expressly or inherently disclose each and every claimed feature.

Specifically, independent claims 1 and 5 recite that only a portion of the image display region is irradiated with light. Furthermore, independent claim 11 recites that the light transmitted to the reflection display device via the optical path is irradiated on only a portion of

the image display region. Applicants respectfully submit that these features are not disclosed in Childers.

In the rejection, the Examiner generally relies on the embodiment of Childers illustrated in Fig. 2. Particularly, the Examiner relies on the high-resolution light modulator 48 in Childers to teach the claimed reflection-type display device. The Examiner also relies on the plurality of squares (micromirror array elements) illustrated in Fig. 2 of Childers as teaching the claimed image display region. Also, the Examiner relies on the rod integrator 42 in Childers to disclose the claimed light guiding member. See pages 4-6 of the Office Action.

In this rejection, the Examiner asserts that Childers discloses

“...a region (see any one of the plurality of squares representing micromirror array elements of element 48) irradiated with light in said image display region is smaller than said image display region.” (page 5, first paragraph, of the Office Action)

As indicated by this statement, the Examiner seems to take the position that, when an entire image display region is irradiated, any portion of that region is: (1) irradiated with light and (2) smaller than the image display region as a whole. According to this reasoning, an image display region inherently includes “a region irradiated with light...smaller than said image display device”² when it is entirely illuminated with light.

As such, it seems clear that the Examiner interpreted claims 1, 5, and 11 as merely requiring that *at least* a portion of the image display region is irradiated with light.

Initially, Applicants submit that such an interpretation is improper for independent claim 11. This is because claim 11 expressly requires that the light transmitted via the optical path to

² as recited in claims 1 and 5 prior to the above amendments

the reflection type display device be “irradiated *on only a portion* of the image display region” (lines 10-11; emphasis added).

Applicants further point out that claims 1 and 5 have been amended to recite that “*only a portion* of said image display region is irradiated with light” (emphasis added). This limitation cannot be satisfied when the *entire* image display region is irradiated with light.

It is respectfully submitted that there is *no teaching* in Childers, express or inherent, that the light discharged from the rod integrator 42 and filter array 44 irradiates anything less than the entire image display region of the high-resolution modulator 48. To the contrary, the only reasonable interpretation of Fig. 2 in Childers is that all of the micromirror array elements in the modulator 48, are irradiated with the light discharged through the filter array 44. The dotted lines in Fig. 2 clearly show that the light rays passing through the filter elements 46 at the corners of filter array 44 irradiate onto the micromirror elements of the corresponding corners of modulator 48. As such, Fig. 2 of Childers shows that the *entire* image display region of the modulator 48 is irradiated. As such, Childers fails to disclose each and every feature in claims 1, 5, and 11, either expressly or inherently.

At least for the reasons set forth above, Applicants respectfully submit that claims 1, 5, and 11 are allowable, and claims 12 and 22 are allowable at least by virtue of their dependency on claim 11. Accordingly, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Rejection Under 35 U.S.C. § 103

Claims 13, 15, 16, and 18-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Childers in view of U.S. Application Publication No. 2001/0008470 to Dewald (hereafter “Dewald”). Applicants respectfully submit that Dewald fails to remedy the deficiencies of Childers set forth above in connection with independent claim 11. In particular,

the Examiner relies on Dewald for teachings relating to a light shielding member (see pages 7-8 of the Office Action). Therefore, Applicants submit that claims 13, 15, 16, and 18-20 are allowable at least by virtue of their dependency on claim 11. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Childers, Dewald, and JP Patent Publication No. 07-281293 to Sasaki (hereafter "Sasaki"). Applicants respectfully submit that Dewald and Sasaki fail to remedy the deficiencies of Childers discussed above in connection with independent claim 11. Specifically, the Examiner only relies on Dewald and Sasaki for teachings that relate to the light guiding member. Thus, it is respectfully submitted that claim 17 is allowable at least by virtue of its dependency on claim 11. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

Conclusion

In view of the above amendments and remarks, Applicants believe the pending application is in condition for allowance.

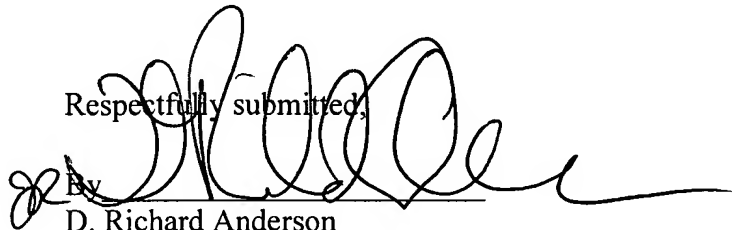
Application No. 10/721,337
Amendment dated December 1, 2005
Reply to Office Action of September 22, 2005

Docket No.: 2257-0239P

However, should the Examiner believe that there are any outstanding matters in the present application, the Examiner is respectfully requested to contact Jason Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the application in an effort to expedite prosecution.

Date: December 2, 2005

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Anderson', written over a horizontal line.

By
D. Richard Anderson
Registration No.: 40,439
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant